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4 JUNE 2012

PETITION FOR RECONSIDERATION
under 37 CFR 1.378(e)

In re Patent No. 6,348,074
Issue Date: February 19, 2002
Application No. 09/228,821
Filed: January 11, 1999
Patentee: Deborah Wenzel

This is a response to the decision on the petition under 37 CFR 1.378(c) filed on February 14, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent in which the petition was dismissed for a deficiency in the payment of the 7 1/2 year maintenance fee in the amount of \$185.

This petition for reconsideration is timely filed within the two month time period allowed from the April 30, 2012 mailing date of the Office of Petitions decision, and is accompanied by a Personal Money Order bank cheque payable to the Commissioner for Patents in the total amount of \$585 as payment of the required deficient \$185 as well as the required petition fee of \$400 as set forth in 37 CFR 1.17(f).

If any further correspondence or payment is required, please contact the Patentee, Deborah Wenzel, at the following address and /or phone number:

270 Sparta Avenue
Suite 104-333
Sparta, NJ 07871
(973) 726-3344

Signed,

Deborah Wenzel

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ON PETITION

In re Patent No. 6,348,074
Issue Date: February 19, 2002
Application No. 09/228,821
Filed: January 11, 1999
Patentee(s): Deborah Wenzel

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DIVISION

This is a decision on the petition under 37 CFR 1.378(c), filed on February 14, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks item (3) above.

A review of the record shows petitioner submitted a credit card payment in the amount of \$2,880 for payment of the 3 ½ year maintenance fee in the amount of \$1,240 and the unintentional surcharge in amount of \$1,640, on February 14, 2012. However, since the patent expired for non-payment of the 7 ½ year maintenance fee, this patent cannot be reinstated until the deficiency of \$185 (1425-1240) has been submitted¹.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within **TWO (2) MONTHS** from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not a final agency action within the meaning of 5 U.S.C. § 704.

¹ Effective September 26, 2011, the 7 ½ small entity maintenance fee was increased from \$1,240 to \$1,425

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-3226.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

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